TABLE OF CONTENTS

IV 2481950

INVESTIGATIVE SUMMARY

IV 2481950

SUBJECT: **JESSE CERRITOS**
DEPUTY SHERIFF, [redacted]

DATE: **JULY 1, 2018, TO SEPTEMBER 1, 2018**

ALLEGATION:

It is alleged Deputy Jesse Cerritos, Stanley Mosk Court, had several encounters with Inmate [redacted] in which sex was exchanged for money. It is also alleged Deputy Jesse Cerritos provided false statements during his interview with Internal Criminal Investigations Bureau (ICIB) investigators on April 2, 2019.

POLICY SECTION

Obedience to Laws, Regulations, and Orders	MPP Section 3-01/030.10
General Behavior	MPP Section 3-01/030.05
Immoral Conduct	MPP Section 3-01/030.07
Dishonesty/Failure to Make Statements, And/or Making False Statements During Departmental Internal Investigations	MPP Section 3-01/040.75
Obstructing an Investigation	MPP Section 3-01/040.76
Cooperating During Criminal Investigation	MPP Section 3-01/040.85
Prohibited Association	MPP Section 3-01/050.86

SYNOPSIS:

On October 11, 2018, Sergeant India Inez, [redacted] interviewed [redacted] at Men's Central Jail (MCJ) regarding an Inmate Grievance form **[EXHIBIT A, page 29]** he had submitted. In his grievance he alleged Deputy Jesse Cerritos (Subject Cerritos) had sexually assaulted him [redacted] and stalked him during the previous six months to a year.

During the transcribed interview [**EXHIBIT A, pages 31-43],** [redacted] indicated he worked as a prostitute in the Los Angeles area to sustain his drug habit. [redacted] additionally explained Subject Cerritos was wearing a beige and green uniform the first time he (Subject Cerritos) picked him ([redacted] up. [redacted] believed Subject Cerritos was armed during their first encounter.

[redacted] had his first sexual encounter (oral copulation) with Subject Cerritos approximately eight months prior to his interview with Sergeant Inez. [redacted] indicated money was exchanged with Subject Cerritos for the oral copulation performed. [redacted] clarified he had three additional sexual encounters with Subject Cerritos.

[redacted] told Sergeant Inez that Subject Cerritos became "aggressive" with him after their first sexual encounter. Subject Cerritos would seek out [redacted] by driving in and out of the area where he ([redacted] worked as a prostitute. [redacted] explained he was intimidated by Subject Cerritos' behavior and would walk away from Subject Cerritos when he would see his vehicle drive up.

[redacted] told Sergeant Inez he saw Subject Cerritos in the area of 14th Street and San Pedro Street, Los Angeles, two weeks prior to his ([redacted] arrest on September 19, 2018. [redacted] attempted to get away from Subject Cerritos on the indicated occasion, but he (Subject Cerritos) cut him ([redacted] off in an adjacent alley, and [redacted] subsequently entered Subject Cerritos' vehicle.

On November 5, 2018, Sergeant [redacted] and Sergeant Dennis Clark, [redacted] from ICIB, interviewed [redacted] **[EXHIBIT A, pages 44-115]** at MCJ regarding his criminal allegations. [redacted] alleged Subject Cerritos had sexually assaulted him and stalked him during the previous six months to a year.

[redacted] informed ICIB investigators he was a transgender prostitute who worked in the Los Angeles area to support his drug habit. He also confirmed he was a convicted felon and was consequently arrested by the Los Angeles Police Department for prostitution. During the interview with ICIB investigators, [redacted] described his first sexual encounter with Subject Cerritos. Their first sexual encounter involved anal sex and a payment of twenty dollars.

[redacted] stated Subject Cerritos became aggressive during their first sexual encounter so he ([redacted] pushed Subject Cerritos and told him, "I don't do this," Subject Cerritos responded and stated, "I have a gun." [redacted] told ICIB investigators he took Subject Cerritos' statement as a threat, but he did not see a gun in Subject Cerrito's possession at the time of the perceived threat.

[redacted] also detailed his second sexual encounter with Subject Cerritos. [redacted] stated Subject Cerritos took too long to ejaculate during their sexual encounter so he ([redacted] stopped. After stopping, [redacted] left the location with the twenty dollars Subject Cerritos had paid him. Subject Cerritos told [redacted] he owed him, which [redacted] also perceived as a threat.

[redacted] had contact with Subject Cerritos at MCJ, after his ([redacted] arrest for a parole violation in March 2018. [redacted] explained, during his incarceration he was escorted to the MCJ clinic by Subject Cerritos and recognized him at that point. Subject Cerritos told [redacted] he knew him too, and reminded [redacted] he owed him.

On November 19, 2018, Sergeants [redacted] and Clark conducted a follow up interview with [redacted] **[EXHIBIT A, pages 124-182]** at MCJ. During the interview, [redacted] provided details of his third sexual encounter with Subject Cerritos. The sexual encounter occurred sometime during July of 2018, after his ([redacted] release from custody.

[redacted] explained he entered Subject Cerritos' vehicle and he (Subject Cerritos) reminded him he owed him. [redacted] felt threatened and performed oral copulation on Subject Cerritos, while in his vehicle. [redacted] also provided ICIB investigators with details of his fourth sexual encounter with Subject Cerritos. ICIB investigators conducted two additional phone interviews with [redacted] **[EXHIBIT A, pages 192-211]** and used Department resources to conduct a surveillance operation **[EXHIBIT A, pages 212-221]** on November 29, 2018, regarding Subject Cerritos' activity.

On April 2, 2019, Sergeant [redacted] and Sergeant [redacted] interviewed Subject Cerritos **[EXHIBIT A, pages 241-346]** at the Stanley Mosk Courthouse. During the interview, ICIB investigators asked Subject Cerritos several questions regarding his daily routine and if he knew an individual by the name of [redacted] Subject Cerritos replied, "No, doesn't ring a bell."

Subject Cerritos was presented with still image of [redacted] **[EXHIBIT A, page 18]** wearing a light blue jailhouse jumpsuit and asked if he knew the person depicted. Subject Cerritos stated, "He looks somewhat familiar from CJ," adding he only knew him as an inmate. Subject Cerritos also denied having a relationship with [redacted] and paying [redacted] for oral copulation.

Subject Cerritos subsequently advised ICIB investigators he met [redacted] a few years prior to joining the Department. He also confirmed and provided details regarding his sexual encounters with [redacted] after he was hired by the Department.

> **Investigator's Note: ICIB Sergeant [redacted] detailed summary of the April 2, 2019, interview with Subject Cerritos can be found as EXHIBIT A, pages 16-26, of this case file.**

On August 21, 2019, the Los Angeles County District Attorney's Office, citing lack of sufficient evidence, declined to file criminal charges under case number 39058131 **[EXHIBIT B]**. The comments section of the charge evaluation sheet noted a review of the police reports, recordings and photographs indicates a lack of sufficient evidence to prove charges beyond a reasonable doubt.

INVESTIGATION

On January 3, 2020, MCJ Lieutenant Javier Azteca, [redacted] spoke with Assistant District Attorney Jodi Link [redacted] to confirm the case rejection date. ADA Link confirmed the official recorded date for the "declined to file" letter as August 21, 2019.

MCJ Lieutenant Javier Azteca interviewed the below-listed witness and subject. The following is a synopsis of those interviews. For more information, and precise wording, see the attached verbatim interview transcription.

Witness [redacted]

On March 17, 2020, Lieutenant Azteca interviewed Witness [redacted] in the MCJ operations lieutenant's office. Witness [redacted] was hired by the Department in 1989, [redacted]

Witness [redacted] was asked if he knew Subject Cerritos, and he replied yes. Witness [redacted] explained he supervised Subject Cerritos when they worked in the MCJ clinic. Witness [redacted] described Subject Cerritos as a hard worker who completed all tasks.

Witness [redacted] was presented with a still image of [redacted] **[EXHIBIT A, page 18]** and asked if he recognized the inmate depicted in the still image. Witness [redacted] did not recognize the inmate in the still image and did not have knowledge of interactions between Subject Cerritos and the inmate depicted in the still image ([redacted]

Witness [redacted] was asked if he had knowledge of a grievance filed by Inmate [redacted] ([redacted] Witness [redacted] denied having knowledge of the aforementioned grievance or other grievances filed against subject Cerritos.

Subject Jesse Cerritos

On April 23, 2020, Lieutenant Azteca and Sergeant Edward Colton, [redacted] interviewed Subject Cerritos in the MCJ operations lieutenant's office. Attorney Bill Hadden attended the interview, representing Subject Cerritos.

Subject Cerritos was assigned to MCJ in [redacted], and worked various assignments throughout the facility, including 2000 floor, 4000 floor, and the MCJ clinic. Subject Cerritos transferred to his current assignment, Stanley Mosk Courthouse, in November of 2018.

During the interview, Subject Cerritos was asked to provide information regarding his interview with ICIB investigators. Subject Cerritos stated it was regarding an allegation, an accusation of rape, assault, and sodomy made by an inmate. Subject Cerritos provided ICIB investigators with details regarding his contact with the inmate who made the allegations. Subject Cerritos confirmed the inmate who made the allegations was [redacted] also known as [redacted]

Investigator's note: Prior to the interview with MCJ investigators, Subject Cerritos was provided with a copy of his transcribed interview with ICIB investigators. The transcribed interview can be found as EXHIBIT A, pages 241-346. MCJ investigators referenced the aforementioned pages during their interview with Subject Cerritos.

Subject Cerritos was asked to refer to page 253 of the ICIB Case Book and explain why he did not advise ICIB investigators he would drive through the indicated downtown area in the mornings as well as after work. Subject Cerritos stated he did not understand the question posed by ICIB investigators and added he was nervous at the time of his interview with ICIB investigators. Subject Cerritos stated it was not his intent to withhold information or lie regarding his answers.

MCJ investigators referred to page 254 of the ICIB Case Book and asked Subject Cerritos if he provided a truthful statement when asked by ICIB investigators if he ever met anyone in the indicated area of Los Angeles. Subject Cerritos confirmed the answer he provided to ICIB investigators was untruthful. Subject Cerritos explained he provided a false statement to ICIB investigator to conceal his sexual preference.

Subject Cerritos was directed to page 249 of the ICIB Case Book, specifically the section in where ICIB investigators asked him if he knew an individual named [redacted] Subject Cerritos confirmed he lied to ICIB investigators when he denied having knowledge of [redacted] Subject Cerritos again explained he was not truthful in his responses to ICIB investigators because he wanted to conceal his sexual orientation.

Subject Cerritos was also questioned regarding a still image of [redacted] presented to him by ICIB investigators (page 256 of the ICIB Case Book). Subject Cerritos was asked by ICIB investigators if he recognized the person depicted in the still image and he stated, "He looks somewhat familiar." Subject Cerritos informed MCJ investigators it was a false statement, he did in fact recognize the person depicted in the still image. Subject Cerritos stated, "I lied to them on that."

MCJ investigators asked Subject Cerritos to turn to page 257 of the ICIB Case Book, and questioned his statement, if he had received oral copulation from [redacted] Subject Cerritos confirmed he was not truthful in his response to the question. Subject Cerritos did receive oral copulation from [redacted] but maintained money was never exchanged for sexual acts.

Subject Cerritos explained [redacted] during one of their contacts, took approximately fifteen dollars from the cup holder of his (Subject Cerritos') vehicle. Subject Cerritos advised [redacted] he owed him and he expected to be paid through oral sex. Subject Cerritos confirmed he subsequently received oral sex from [redacted] as a form of payment for the money taken from the cup holder. Subject Cerritos explained he had established a relationship with [redacted] and in doing so, he (Subject Cerritos) did not view it as money for sex.

Subject Cerritos was asked to review page 258 of the ICIB Case Book. ICIB investigators asked Subject Cerritos if he had some kind of relationship with [redacted] and he stated no. Subject Cerritos confirmed he was untruthful in his statement to ICIB investigators, a relationship had been established with [redacted] Subject Cerritos also informed MCJ investigators he provided a false statement to ICIB investigators when they asked him if he had a Facebook account.

MCJ investigators presented Subject Cerritos with a screen printout from the intranet-based Inmate Information Center **[EXHIBIT C]**. Subject Cerritos acknowledged utilizing the indicated system to confirm [redacted] booking information when asked by [redacted] MCJ investigators reviewed the information on the screen printout **[EXHIBIT C]** with Subject Cerritos. The information included [redacted] ([redacted] booking number, release date, and parole warrant arrest.

Investigator's note: The Inmate Information Center is a web-based and intranet-based application containing information regarding individuals in LASD custody. The web-based application is available to the public and contains basic information regarding an individual in custody. The internal intranet-based application is only available to Department personnel, and it contains more thorough information regarding an individual in custody, such as home address and other identifying information not available to the public.

MCJ investigators referred to page 290 of the ICIB Case Book and asked Subject Cerritos if he was truthful in his statement when he stated he did not have contact with [redacted] after his ([redacted] release. Subject Cerritos explained he provided a false statement because he thought they (ICIB) were going to relieve him of duty for having contact with [redacted] within a certain timeframe and prohibited association.

MCJ investigators asked Subject Cerritos how many sexual encounters he had with [redacted] Subject Cerritos stated he had two sexual encounters with [redacted] prior to being hired as a deputy. He had his third sexual encounter with [redacted] after he was a deputy, and before seeing [redacted] in custody at MCJ in March of 2018. The fourth sexual encounter with [redacted] happened sometime after his ([redacted] release in May of 2018.

MCJ investigators asked Subject Cerritos what type of sexual activity occurred during each of the four sexual encounters he had with [redacted] Subject Cerritos explained what occurred during each sexual encounter, however, the answer he provided to MCJ investigators regarding what occurred during the second sexual encounter was different than what he told ICIB investigators (page 314 of the ICIB Case Book).

During his interview with ICIB investigators, Subject Cerritos stated the only sexual activity that occurred between [redacted] and himself in each of the four sexual encounters was [redacted] performing oral copulation on him. In his interview with MCJ investigators, Subject Cerritos stated he and [redacted] performed oral copulation on each other during the second sexual encounter.

Subject Cerritos stated he realized [redacted] was a prostitute after their third sexual encounter, and credits [redacted] attire for his realization. Subject Cerritos believed his actions could be viewed as morally wrong and added he did not want to put the Department in a negative spotlight.

Additional information:

On July 9, 2020, Lieutenant Azteca contacted Parole Agent [redacted] at the Male Community Reentry Program in Los Angeles to facilitate an interview with [redacted]. At approximately 1335 hours, Agent [redacted] spoke with Lieutenant Azteca and informed him [redacted] (also known as [redacted] was in his office, participating in their conference call. [redacted] identity was confirmed by Agent [redacted] prior to speaking wit[redacted] Lieutenant Azteca identified himself and informed [redacted] of the reason for his requested recorded telephonic interview. [redacted] declined to be interviewed, and Lieutenant Azteca thanked Agent [redacted] and [redacted] for their time and concluded the phone call.

In March of 2020, California Governor Gavin Newsom implemented **Executive Order N-40-20**, which extended the deadline on completing investigations of public safety officers under **Government Code 3304(d).** The executive order extended the completion deadline by 60 days.

The statute date for this case was recalculated from the District Attorney's decline to file date of August 21, 2019, to October 18, 2020 (60 days after August 19, 2020). A copy of **Executive Order N-40-20** can be found in the miscellaneous documents section of this case file.

LOS ANGELES COUNTY DISTRICT ATTORNEY
CHARGE EVALUATION WORKSHEET

X FELONY MISDEMEANOR	AGENCY NAME LASD - MENS CENTRAL JAIL AGENCY FILE NO. (DR OR URN) 918000702003441	DA CASE NO. 39058131 DA OFFICE CODE SXC	DATE 08/21/2019 VICTIM ASSISTANCE REFERRAL ☒ YES – NOTIFY VWAP ☐ NO

SUSP NO.	SUSPECT	CHARGES: CODE	SECTION	OFFENSE DATE	REASON CODE
1	NAME (LAST, FIRST MIDDLE)): CERRITOS, JESSE	PC	288A(C)(2)(A)	08/01/2018	B
	DOB: [redacted] · SEX (M/F): M · BOOKING NO.:	VIP X Yes -- No VIP - (05) Sexual Abuse - Acquaintance			
	___ Gang Member Name of Gang	___ Victim Gang Member Name of Gang:			
	Victim Name: [redacted]	Victim DOB: 01/01/1901			
2	NAME (LAST, FIRST MIDDLE)):				
	DOB · SEX (M/F) · BOOKING NO.	VIP -- Yes -- No			
	Gang Member Name of Gang	___ Victim Gang Member Name of Gang:			
	Victim Name:	Victim DOB:			
3	NAME (LAST, FIRST MIDDLE)):				
	DOB · SEX (M/F) · BOOKING NO.	VIP -- Yes -- No			
	Gang Member Name of Gang	___ Victim Gang Member Name of Gang:			
	Victim Name:	Victim DOB:			

Comments

The victim alleges sexual assault by the suspect. A pre-filing interview was conducted on August 8, 2019. A review of the police reports, recordings and photographs indicates a lack of sufficient evidence to prove charges beyond a reasonable doubt. Thus, the case is declined.

COMPLAINT DEPUTY (print)	COMPLAINT DEPUTY (SIGNATURE)	STATE BAR NO.	REVIEWING DEPUTY (SIGNATURE)
PAUL THOMPSON	[signature]	245476	[signature]

I have conveyed all relevant information to the above-named Deputy District Attorney to be used in consideration of a filing decision.

FILING OFFICER (PRINT): JAMES EGGERS FILING OFFICER (SIGNATURE): [signature] SERIAL #: 486792

DEPARTMENT OF JUSTICE REASON CODES (FORM 8715)			DISTRICT ATTORNEY'S REASON CODES
A. Lack of Corpus B. Lack of Sufficient Evidence C. Inadmissible Search/Seizure	D. Victim Unavailable/Declines To Testify E. Witness Unavailable/Declines to Testify F. Combined with Other Counts/Cases G. Interest of Justice	H. Other (indicate the reason in Comments section) I. Referred to Non-California Jurisdiction J. Deferred for Revocation of Parole K. Further Investigation	L. Prosecutor Prefiling Deferral M. Probation Violation filed in lieu of N. Referred to City Attorney for Misdemeanor Consideration

LAST NAME: CERRITOS FIRST NAME: JESSE DA CASE NUMBER: 39058131



OFFICE OF THE SHERIFF



COUNTY OF LOS ANGELES

HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF

September 3, 2020

Deputy Jesse Cerritos, [redacted]

Dear Deputy Cerritos:

LETTER OF INTENT

You are hereby notified that it is the intention of the Sheriff's Department to discharge you from your position of Deputy Sheriff, Item No. 2708A, with this Department, effective the close of business September 30, 2020.

An investigation under IAB File Number IV 2481950, conducted by Men's Central Jail, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/030.10, Obedience to Laws, Regulations and Orders; and/or 3-01/030.05, General Behavior; and/or 3-01/030.07, Immoral Conduct, on or between April 2, 2015 to September 18, 2018, while off-duty, you engaged in unlawful sexual acts with [redacted] (also known as [redacted] who worked as a transgender prostitute in the city of Los Angeles. Furthermore, you exchanged money for sex with [redacted] Your conduct has brought discredit and/or embarrassment upon yourself and/or the Los Angeles County Sheriff's Department, as evidenced by, but not limited to:

   a. receiving oral copulation from [redacted] in

exchange for money [redacted] owed to you; and/or,

b. receiving oral copulation from [redacted], while in your personal vehicle, parked on a public street; and/or,

c. admitting that your actions could be viewed as immoral by the Department and the public.

2. That in violation of Manual of Policy and Procedures Sections 3-01/040.75, Dishonesty/Failure to Make Statements and/or Making False Statements During Departmental Internal Investigations; and/or 3-01/040.76, Obstructing an Investigation; and/or 3-01/040.85, Cooperation During Criminal Investigation, on or about April 2, 2019, while on-duty, and being interviewed by Internal Criminal Investigations Bureau (ICIB) regarding criminal allegation(s), you provided incomplete and/or false information, or withheld information which distorted the truth, as evidenced by, but not limited to:

a. telling ICIB you only drove the area of 14th Street, Stanford, Sixth, and Central on your way home from work, and/or words to that effect, however, Special Operations Group Surveillance logs showed you drove around the same area in the morning on multiple occasions; and/or,

b. telling ICIB you had never met anyone in the indicated area, adding, "not my thing," and/or words to that effect; however, later admitting to Mens Central Jail (MCJ) investigators that you lied and provided false statement(s) to ICIB investigators when you told them you had never met anyone in the indicated area, and it was "not my thing;" and/or,

c. telling ICIB you did not know an individual by the name of [redacted] and/or words to that effect; however, later admitting to MCJ investigators that you provided a false statement(s) to ICIB investigators when they asked you if you knew an individual by the name of [redacted] and you said "no;" and/or,

d. telling ICIB, "He looks somewhat familiar," when presented with a photograph of [redacted] wearing a Los Angeles County Jail jumpsuit; however, later admitting to MCJ investigators you recognized and knew the individual in the photograph was [redacted], and you provided a false statement to ICIB investigators, stating, "I lied to them on that;" and/or,

e. telling ICIB you did not have a relationship with [redacted] in which you paid for sex, and/or words to that effect, however, later admitting to MCJ investigators you expected [redacted] to perform oral sex on you after [redacted] took money you had placed in a cup holder inside your vehicle; and/or,

f. telling ICIB you did not receive oral copulation from [redacted] and/or words to that effect; however, later admitting to MCJ investigators that you provided a false statement to ICIB investigators, and you did receive oral copulation from [redacted]; and/or,

g. telling ICIB you did not provide [redacted] with your personal email address, and/or words to that effect; however, later admitting to MCJ investigators that you did provide [redacted] with your personal email address, and [redacted] emailed you "once or twice;" and/or,

h. telling ICIB you did not have a *Facebook* account,

and/or words to that effect; however, later admitting to MCJ investigators that you provided a false statement to ICIB investigators when they asked you if you had a Facebook account and you said "no;" and/or,

i. telling ICIB you did not have contact with [redacted] after [redacted] release in March of 2018, and/or words to that effect; however, later admitting to MCJ investigators that you provided a false statement to ICIB investigators, and you did have contact with [redacted] after [redacted] release from custody in March of 2018.

3. That in violation of Manual of Policy and Procedures Section 3-01/050.86, Prohibited Association, on or between April 2, 2015 to September 18, 2018, you confirmed your association with [redacted] (also known as [redacted]) while employed as a Los Angeles County Deputy Sheriff, as evidenced by, but not limited to:

   a. telling MCJ investigators you had a sexually based relationship with [redacted]; and/or,

   b. telling MCJ investigators you had an ongoing relationship with [redacted].

Additional facts for this decision are set forth in the Disposition Worksheet, Investigative Summary and Investigative Packet which are incorporated herein by reference.

You may respond to the intended action orally or in writing. In the event that you choose to respond orally to these charges, you have already been scheduled to meet with Chief Corbett, on September 30, 2020, at 1100 hours, in his office, which is located at 450 Bauchet Street, Los Angeles, California 90012. If you are unable to appear at the scheduled time and wish to schedule some other time prior to September 30, 2020, for your oral response, please call Chief Corbett's secretary at [redacted] for an appointment.

If you choose to respond in writing, please call Chief Corbett's secretary to cancel your scheduled appointment, and send your response to the facts contained in this letter to Chief Corbett's office by no later than September 30, 2020.

Unless you are currently on some other type of authorized leave, pursuant to Rule 16.01 of the Los Angeles County Civil Service Commission Rules, effective immediately, you are on paid administrative leave which will continue during the fifteen (15) business days you have to respond to the intended discharge or until the conclusion of your pre-disciplinary hearing. If you are presently on an authorized leave, that leave will continue during the fifteen (15) business days you have to respond to the intended discharge, or until the conclusion of your pre-disciplinary hearing.

Failure to respond to this Letter of Intent within fifteen (15) business days will be considered a waiver of your right to respond and will result in the imposition of the discipline indicated herein.

If you did not receive the investigative material on which your discipline is based at the time you were served with this correspondence, you may contact the Internal Affairs Bureau at (323) 890-5300, to obtain a copy of the case file.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

ALEX VILLANUEVA, SHERIFF

William E. Jaeger, Captain
Internal Affairs Bureau